

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

NOEL RODRIGUEZ,

Plaintiff,

Case no. 09-13268

Honorable John Corbett O'Meara

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant,

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court, pursuant to 72(b) of the Federal Rules of Civil Procedure, 28 U. S. C. 636(b)(1)(B), and LR 72.1(b)(3), has reviewed Magistrate Judge Charles E. Binder's August 11, 2010, Report and Recommendation as well as any objections filed by the parties, and upon review;

IT IS HEREBY ORDERED that the report and recommendation is ADOPTED as the findings and conclusions of this Court.

IT IS FURTHER ORDERED that plaintiff's motion for summary judgment is DENIED, defendant's motion for summary judgment is GRANTED, and the findings of the Commissioner are AFFIRMED.

s/John Corbett O'Meara

United States District Judge

Date: August 31, 2010

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, August 31, 2010, using the ECF system and/or ordinary mail.

s/William Barkholz
Case Manager